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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/674,254	09/29/2003	Anatoly S. Belkin	CE11195R/10-169	3196
22917	7590	01/25/2006	EXAMINER	
MOTOROLA, INC. 1303 EAST ALGONQUIN ROAD IL01/3RD SCHAUMBURG, IL 60196			NGUYEN, KHAI MINH	
			ART UNIT	PAPER NUMBER
			2687	

DATE MAILED: 01/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/674,254

Applicant(s)

BELKIN ET AL.

Examiner

Khai M. Nguyen

Art Unit

2687

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 November 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12, 20-28 and 36-39 is/are rejected.
- 7) ☒ Claim(s) 13-19 and 29-35 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's argument with respect to claim 1-39 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-7, 23, 25-28, 36-39 are rejected under 35 U.S.C. 102(b) as being anticipated by Shin (U.S.Pub-20020051432).

Regarding claim 1, Shin teaches a wireless communication unit (abstract) comprising:

a transceiver suitable to support an air interface with a first wireless communication network and with a second wireless communication network (fig.1, abstract, paragraph 0011); and

a controller (fig.3, element 30), coupled to and controlling the transceiver (fig.3, paragraph 0038), for obtaining a handover number that terminates on a mobility

manager associated with the first communication network (paragraph 0023, 0038), the handover number useable to facilitate a handover of ongoing communication of a first call on the first wireless communication network wherein the handover is from the first wireless communication network to the second wireless communication network (paragraph 0005, 0007) and wherein the handover is initiated by a handover call made by the wireless communication unit on the second communication network to the handover number while the first call is ongoing (paragraph 0005, 0007, 0027).

Regarding claim 2, Shin teaches the wireless communication unit of claim 1, wherein the controller controls the transceiver to obtain the handover number from a network entity within the first communication network (paragraph 0005, 0007, 0027).

Regarding claim 3, Shin teaches the wireless communication unit of claim 1, wherein the controller controls the transceiver to forward information regarding the first call to the mobility manager to facilitate the handover (paragraph 0005, 0007, 0027, *the mobile station sets up a communication channel with a destination base station while maintaining the initial communication channel with the first base station*).

Regarding claim 4, Shin teaches the wireless communication unit of claim 1, wherein the controller, when a pending handover is indicated (fig.3, element 30),

controls the transceiver to initiate the handover call (paragraph 0005, 0007, 0027, *the mobile station sets up a communication channel with a destination base station while maintaining the initial communication channel with the first base station*).

Regarding claim 5, Shin teaches the wireless communication unit of claim 4, wherein the controller controls the transceiver to switch the ongoing communication to the second wireless network and to discontinue the ongoing communication with the first communication network when the handover call has been connected (paragraph 0007, 0027).

Regarding claim 6, Shin teaches the wireless communication unit of claim 1, wherein the first wireless communication network is at least one of an IEEE 802.11 Wireless Local Area Network and Bluetooth (fig.3, abstract, paragraph 0027, *first communication maybe LAN*) and the second wireless communication network is a wireless wide area network (fig.3, abstract).

Regarding claim 7, Shin teaches the wireless communication unit of claim 1 wherein the controller obtains the handover number during the setup of the ongoing communication (paragraph 0036-0038)

Regarding claim 23, Shin teaches a method for facilitating handover of ongoing communication of a first call between a wireless communication unit and a peer communication unit wherein the handover being from a first communication network to a second communication network (fig.3, abstract, paragraph 0035), the method comprising:

obtaining call information corresponding to the first call using the first communication network (paragraph 0005, 0007, 0027); and

ascertaining a handover number for use by the wireless communication unit (paragraph 0023-0024), the handover number terminating within the first communication network for use in facilitating the handover of the ongoing communication by initiating a handover call made by the wireless communication unit on the second communication network to the handover number while the first call is ongoing (paragraph 0005, 0007, 0027, *the mobile station sets up a communication channel with a destination base station while maintaining the initial communication channel with the first base station*).

Regarding claim 25, Shin teaches the method of claim 1, wherein the first communication network is at least one of an IEEE 802.11 Wireless Local Area Network and Bluetooth (fig.3, abstract, paragraph 0027, *first communication maybe LAN*) and the second wireless communication network is a wireless wide area network (fig.3, abstract).

Regarding claim 26, Shin teaches the method of claim 23 further comprising receiving a handover call originating from the wireless communication unit using the second communication network that is directed to the handover number (paragraph 0005, 0007, 0027).

Regarding claim 27, Shin teaches the method of claim 26 wherein the receiving the handover call results from determining that a handover condition is indicated (paragraph 0005, 0007, 0027).

Regarding claim 28, Shin teaches the method of claim 27 wherein the determining the handover condition is performed by one of the wireless communication unit and another network entity within the first communication network (paragraph 0005, 0007, 0027).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 8-12, 20-22, 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shin (U.S.Pub-20020051432) in view of Requena (U.S.Pub-20020126701).

Regarding claim 8, Shin teaches the wireless communication unit of claim 7.

Shin fails to specifically disclose the handover number is obtained by including it in at least one of a Session Initiation Protocol (SIP) INVITE message and a response message to the SIP INVITE message. However, Requena teaches the handover number is obtained by including it in at least one of a Session Initiation Protocol (SIP) INVITE message (paragraph 0027-0038, 0084) and a response message to the SIP INVITE message (paragraph 0032-0038). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the handover number is obtained by including it in at least one of a Session Initiation Protocol (SIP) INVITE message and a response message to the SIP INVITE message as taught by Requena with Shin teaching in order to provide multiple instances of information necessary to keep the user completely located.

Regarding claim 9, Shin teaches a mobility manager for facilitating handover of ongoing communication from a first call between a wireless communication unit and a peer communication unit from a first communication network to a second

communication network (fig.3, abstract, paragraph 0035), the mobility manager comprising:

a interface function to interface to the first communication network (fig.3, abstract, paragraph 0035); and

a controller coupled to and controlling the interface function (fig.3, abstract, paragraph 0035) to:

ascertain a handover number for the wireless communication unit (paragraph 0023-0024), the handover number terminating on the mobility manager for use in facilitating the handover of the ongoing communication by initiating a handover call made by the wireless communication unit the second communication network to the handover number while the first call is ongoing (paragraph 0005, 0007, 0027, *the mobile station sets up a communication channel with a destination base station while maintaining the initial communication channel with the first base station*).

Shin fails to specifically disclose obtain call information corresponding to the ongoing communication of the first call. However, Requena teaches obtain call information corresponding to the ongoing communication of the first call (fig.1, paragraph 0061-0068). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use obtain call information corresponding to the ongoing communication of the first call as taught by Requena with Shin teaching in order to provide multiple instances of information necessary to keep the user completely located.

Regarding claim 10, Shin and Requena further teaches a mobility manager of claim 9 wherein the controller further obtains the call information from one of the wireless communication unit and a network server (see Requena, fig.1, paragraph 0073, 0081).

Regarding claim 11, Shin and Requena further teaches the mobility manager of claim 9 wherein the first communication network is at least one of an IEEE 802.11 Wireless Local Area Network and Bluetooth (see Shin, abstract, paragraph 0027, *first communication maybe LAN*) and the second communication network is a wireless wide area network (see Shin, fig.3, abstract, paragraph 0035).

Regarding claim 12, Shin and Requena further teaches the mobility manager of claim 9 wherein the controller cooperatively with the interface function is operable to receive the handover call (see Shin, paragraph 0005, 0007, 0027).

Regarding claim 20, Shin and Requena further teaches the mobility manager of claim 9 wherein the ascertaining the handover number further comprises one of obtaining the handover number from the wireless communication unit (see Shin, paragraph 0023-0024), assigning and providing the handover number to the wireless

communication unit, and obtaining the handover number from another network server (see Requena, paragraph 0027-0038, 0084).

Regarding claim 21, Shin and Requena further teaches the mobility manager of claim 9 wherein the interface with the first communication network is one of a Session Initiation Protocol (SIP) interface and an H.323 interface (see Requena, paragraph 0027-0038, 0084).

Regarding claim 22, Shin and Requena further teaches the mobility manager of claim 20 wherein the handover number is included in one of a SIP INVITE message and a response message to the SIP INVITE message (see Requena, paragraph 0027-0038, 0084).

Regarding claim 24, Shin teaches the method of claim 23.

Shin fails to specifically disclose the obtaining the call information further comprises obtaining the call information from at least one of the wireless communication unit and a network entity within the first communication network. However, Requena teaches the obtaining the call information further comprises obtaining the call information from at least one of the wireless communication unit and a network entity within the first communication network (fig.1, paragraph 0061-0068). Therefore, it would

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have been obvious to one of ordinary skill in the art at the time the invention was made to use the obtaining the call information further comprises obtaining the call information from at least one of the wireless communication unit and a network entity within the first communication network as taught by Requena with Shin teaching in order to provide multiple instances of information necessary to keep the user completely located.

Regarding claim 36, Shin teaches the method of claim 23.

Shin fails to specifically disclose the ascertaining the handover number further comprises one of obtaining the handover number from the wireless communication unit, assigning and providing the handover number to the wireless communication unit, and obtaining the handover number from another network server. However, Requena teaches the ascertaining the handover number further comprises one of obtaining the handover number from the wireless communication unit (paragraph 0027-0038, 0084), assigning and providing the handover number to the wireless communication unit (paragraph 0027-0038, 0084), and obtaining the handover number from another network server (fig.1, paragraph 0061-0068). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the ascertaining the handover number further comprises one of obtaining the handover number from the wireless communication unit, assigning and providing the handover number to the wireless communication unit, and obtaining the handover number from another network

server as taught by Requena with Shin teaching in order to provide multiple instances of information necessary to keep the user completely located.

Regarding claim 37, Shin teaches the method of claim 23.

Shin fails to specifically disclose the first communication network uses one of a Session Initiation Protocol (SIP) interface and an H.323 interface. However, Requena teaches the first communication network uses one of a Session Initiation Protocol (SIP) interface and an H.323 interface (paragraph 0027-0038, 0084). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use as taught by Requena with Shin teaching in order to provide multiple instances of information necessary to keep the user completely located.

Regarding claim 38, Shin and Requena further teaches the method of claim 37 wherein the ascertaining the handover number is done during the setup of the ongoing communication (fig.1-3, col.2, lines 21-50, see Requena, paragraph 0027-0038, 0084)

Regarding claim 39, Shin and Requena further teaches the method of claim 36 wherein the handover number is included in one of a SIP INVITE message and a response message to the SIP INVITE message (see Requena, paragraph 0027-0038, 0084).

Allowable Subject Matter

4. Claims 13-19, and 29-35 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khai M. Nguyen whose telephone number is 571.272.7923. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid can be reached on 571.272.7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Khai Nguyen
Au: 2687

1/18/2006


SONNY TRINH
PRIMARY EXAMINER